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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,078	08/20/2003	Peter Friedrich	449122060600	4721

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EXAMINER
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MADAMBA, GLENFORD J

ART UNIT	PAPER NUMBER
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2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/644,078	<b>Applicant(s)</b> FRIEDRICH ET AL.	
	<b>Examiner</b> Glenford Madamba	<b>Art Unit</b> 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 9, 13, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Kumhyr et al, U.S. Patent Publication US 2003/0046344 A16.

As per Claim 1, Kumhyr discloses a method for controlling conferences, with at least one announcement/dialog function, and at least one conference function [Abstract], comprising:

starting a conference (e.g., initiating the teleconference) [Abstract] with dialog of a conference leader [0011] with an announcement/dialog function ("spoken name" /

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announcement) [0024] [0035] under control of a conference management function (Conference Session Controller 101) [0011] [0038];

monitoring a data stream of the conference leader for keywords or tones (e.g. DTMF tones) [0024] [0030] by the announcement/dialog function to control the conference; and

whenever a keyword or tone is identified, the dialog is started between the conference leader and the announcement/dialog function (i.e., "Welcome to the XYZ System") [0040] [Fig. 5].

As per Claim 2, Kumhyr discloses the method according to claim 1, wherein the conference commences when a service call number is dialed [0007] by the conference leader (i.e., conference leader) [0011], such that a connection is set up between the conference leader and the announcement/dialog function [0024] [0035], such that the dialog takes place to exchange characteristic data, and the conference is initiated based on service entitlement of the conference leader (e.g., access/participation permission) [0007] and available conference resources (e.g., port availability / allocation, limit on number of conferees per call) [0037], and inclusion of additional conferees (joining a conference) is executed under control of the conference management function and in the dialog of the announcement/dialog function with the conference leader [0024] [0032].

As per Claim 3, Kumhyr discloses the method according to claim 1, wherein the dialog between the announcement/dialog function and the conference leader is DTMF-controlled [0024] [0030] [0038].

As per Claim 4, Kumhyr discloses the method according to claim 1, wherein the dialog between the announcement/dialog function and the conference leader takes place using a keyword spotting voice recognition function (e.g., DTMF key tone / voice signal detection) [0024].

As per Claim 5, Kumhyr discloses the method according to claim 1, wherein the keywords monitored by the announcement/dialog function are of a spoken nature (e.g., "spoken name") and/or are configured as DTMF input [0030].

As per Claim 6, Kumhyr discloses the method according to claim 1, wherein identifying a keyword in the dialog between the conference leader and the announcement/dialog function enables further conference features to be optionally initiated, including at least one of an additional conferee, isolation or disconnection of a conferee [0043-0044] [Fig. 5], influencing of image configuration/video conference mode [0049], data input, formation of discussion groups [0037], and moving the conference leader between discussion groups in the conference [0047-0049].

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As per Claim 7, Kumhyr discloses the method according to claim 1, wherein the dialog between the conference leader and the announcement/dialog function is optionally suppressed for other conferees ("muting") [0046] by disconnecting the conference leader from the conference via the control interface with the conference function for the duration of the dialog [0043-0045].

As per Claim 9, Kumhyr discloses the method according to claim 1, wherein the conference leader can be passed to one of the conferees or the conference function can be controlled by the conferees by means of dialog with the announcement/dialog function (according to 'class' or profile assigned to the user / conferee) [0034].

As per Claim 13, Kumhyr discloses the method according to claim 1, wherein the conference management function is configured to intervene during control of a conference and is configured to activate the announcement and dialog function to inform and interrogate the conferees (audio prompts) [0028] (i.e. 'announcement's) [0035].

As per Claim 15, Kumhyr discloses a device for controlling conferences (Conference Session Controller 101) [0011] [0038], with at least one dialog function (voice file system/DSP array) [0035] and at least one conference function [0038], which operate on at least one conference system [Figs. 1 & 2], comprising a control interface (CSC 101) provided between the announcement/dialog function and a conference

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management function, which initiates at least one conference via the conference management function and controls progress based on voice and/or tone signals (DTMF tones or voice signals) [0030] of one or more conferees occurring in a data stream and in conjunction with at least one announcement/dialog function [Abstract] [0030] [0035].

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumhyr et al, U.S. Patent Publication US 2003/0046344 A16 in view of Baxley et al (hereinafter Baxley), U.S. Patent Publication US 2004/0085914 A16.

As per Claim 8, Kumhyr in view of Baxley discloses the method according to claim 1, wherein the conference ends when the conference leader terminates the connection or via the dialog between the conference leader and the announcement/dialog function [0044] [Fig. 5], with an option of displaying accrued charges and/or the accrued charges being stored via the conference management function for each section of the

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conference in a database.

While Kumhyr discloses substantial features of the invention such as the method of claim 1, which describes a method for controlling conferences, with at least one announcement/dialog function, and at least one conference function, he does not explicitly disclose the added feature of the method with an option of displaying accrued charges and/or the accrued charges being stored via the conference management function for each section of the conference in a database. The feature is disclosed by Baxley in a related endeavor.

Baxley discloses as his invention conference session controller connected to user terminals receives signals representing each user accessing an electronic conference session. The session controller assigns each user to a particular class from among a plurality of classes and *automatically performs a function to control an aspect of participation in the electronic conference session for each user* assigned to a selected class of the plurality of classes. The method comprises *initiating the teleconference* between participants interconnected by electronic terminals, *associating each participant with a class among a plurality of classes*, and *terminating the teleconference for participants of a selected class*, while continuing the teleconference for one or more other classes of the plurality of classes. In this way, a conference leader is provided a way to secure the conference for desired participants with confidence that users of a selected



class have been excluded [Abstract]. Specifically Baxley discloses Conference Allocation and Control System (CACS 170), with the feature or option of displaying accrued charges and/or the accrued charges being stored via the conference management function for each section of the conference in a database (i.e., billing information) [0030].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kumhyr's invention with the added feature of the method with an option of displaying accrued charges and/or the accrued charges being stored via the conference management function for each section of the conference in a database, as disclosed by Baxley, for the motivation of providing scalability and fault tolerance in a conferencing method implemented on a purely packet-switched network [0011] and a system for full-service audio conferencing [0014].

As per Claim 11, Kumhyr in view of Baxley discloses the method according to claim 1, wherein the conference management function identifies availability of the conference function and the announcement and dialog function and influences progress of the dialogs with the conference leader and conferees accordingly via the control interface.

While Kumhyr discloses substantial features of the invention such as the method of claim 1, which describes a method for controlling conferences, with at least one

announcement/dialog function, and at least one conference function, he does not explicitly disclose the added feature of the method wherein the conference management function identifies availability of the conference function and the announcement and dialog function and influences progress of the dialogs with the conference leader and conferees accordingly via the control interface. The feature is disclosed by Baxley in a related endeavor.

Baxley discloses as his invention conference session controller connected to user terminals receives signals representing each user accessing an electronic conference session. The session controller assigns each user to a particular class from among a plurality of classes and *automatically performs a function to control an aspect of participation in the electronic conference session for each user assigned to a selected class of the plurality of classes*. The method comprises *initiating the teleconference* between participants interconnected by electronic terminals, *associating each participant with a class among a plurality of classes*, and *terminating the teleconference for participants of a selected class*, while continuing the teleconference for one or more other classes of the plurality of classes. In this way, a conference leader is provided a way to secure the conference for desired participants with confidence that users of a selected class have been excluded [Abstract]. Specifically Baxley discloses the method wherein the conference management function identifies availability of the conference function and the announcement and dialog function [0015] and influences progress of the

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dialogs with the conference leader and conferees accordingly via the control interface [Fig. 2].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kumhyr's invention with the added feature of the method wherein the conference management function identifies availability of the conference function and the announcement and dialog function and influences progress of the dialogs with the conference leader and conferees accordingly via the control interface, as disclosed by Baxley, for the motivation of providing scalability and fault tolerance in a conferencing method implemented on a purely packet-switched network [0011] and a system for full-service audio conferencing [0014].

As per Claim 14, Kumhyr in view of Baxley discloses the method according to claim 1, wherein for entry into conference status, connection of the conference initiator is automatically forwarded from the announcement/dialog function to a conference function.

While Kumhyr discloses substantial features of the invention such as the method of claim 1, which describes a method for controlling conferences, with at least one announcement/dialog function, and at least one conference function, he does not explicitly disclose the added feature of the method wherein for entry into conference status, connection of the conference initiator is automatically forwarded from the

announcement/dialog function to a conference function. The feature is disclosed by Baxley in a related endeavor.

Baxley discloses as his invention conference session controller connected to user terminals receives signals representing each user accessing an electronic conference session. The session controller assigns each user to a particular class from among a plurality of classes and *automatically performs a function to control an aspect of participation in the electronic conference session for each user assigned to a selected class of the plurality of classes. The method comprises initiating the teleconference between participants interconnected by electronic terminals, associating each participant with a class among a plurality of classes, and terminating the teleconference for participants of a selected class, while continuing the teleconference for one or more other classes of the plurality of classes. In this way, a conference leader is provided a way to secure the conference for desired participants with confidence that users of a selected class have been excluded [Abstract]. Specifically Baxley discloses the method wherein for entry into conference status, connection of the conference initiator is automatically forwarded from the announcement/dialog function to a conference function [Fig. 2].*

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kumhyr's invention with the added feature of the method wherein for entry into conference status, connection of the conference initiator

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is automatically forwarded from the announcement/dialog function to a conference function, as disclosed by Baxley, for the motivation of providing scalability and fault tolerance in a conferencing method implemented on a purely packet-switched network [0011] and a system for full-service audio conferencing [0014].

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumhyr et al, U.S. Patent Publication US 2003/0046344 A16 in view of Cohen et al (hereinafter Cohen), U.S. Patent Publication US 2002/0136382 A1.

As per Claim 10, Kumhyr in view of Cohen discloses the method according to claim 1, wherein details of the dialog with the conference leader and conferees are stored as VoiceXML scripts on at least one content server accessible to the dialog functions.

While Kumhyr discloses substantial features of the invention such as the method of claim 1, which describes a method for controlling conferences, with at least one announcement/dialog function, and at least one conference function, he does not explicitly disclose the added feature of the method wherein details of the dialog with the conference leader and conferees are stored as VoiceXML scripts on at least one content server accessible to the dialog functions. The feature is disclosed by Cohen in a related endeavor.

Cohen discloses as his invention A teleconference facilitation system and method may allow a user to pre-register a group or "team." When the user contacts a server by, for example, a pre-arranged telephone number, the server attempts to initiate a teleconference among the user and the team members. The user may pre-schedule an automatically initiated conference call. [Abstract]. Specifically Cohen discloses the method wherein details of the dialog with the conference leader and conferees are stored as VoiceXML scripts on at least one content server accessible to the dialog functions [0032]

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kumhyr's invention with the added feature of the method wherein details of the dialog with the conference leader and conferees are stored as VoiceXML scripts on at least one content server accessible to the dialog functions, as disclosed by Cohen, for the motivation of providing a telephone conferencing system that allows a simple step or series of steps to initiate a teleconference, wherein a user may pre-register a group (team) and/or may pre-schedule an automatically initiated conference call [0004-0005].

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumhyr et al, U.S. Patent Publication US 2003/0046344 A16 in view of Official Notice.

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As per Claim 12, Kumhyr in view of Zhakov discloses the method according to claim 1, wherein the conference management function, the recognition function and the conference function are at least duplicated on at least two different hardware platforms [Fig. 1 Zhakov].

While Kumhyr discloses substantial features of the invention such as the method of claim 1, which describes a method for controlling conferences, with at least one announcement/dialog function, and at least one conference function, he does not explicitly disclose the added feature of the method wherein the conference management function, the recognition function and the conference function are at least duplicated on at least two different hardware platforms. However, highly-available and replicate systems are well known and it would thus be obvious to one of ordinary skill in the art to combine and/or modify Kumhyr's invention with the above feature of the method wherein the conference management function, the recognition function and the conference function are at least duplicated on at least two different hardware platforms for providing for failover and redundancy in systems.

As support for the above, Applicant is invited to review Zhakov, cited but not referred to, and which discloses a duplicate and redundant conference management system.






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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3932. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenford Madamba  
Examiner  
Art Unit 2151

  
**ZARNI MAUNG**  
SUPERVISORY PATENT EXAMINER